sequences of the same which are known and readily available. As the terms have a well-established meaning in the art and the sequences corresponding to those genes are both known and can be obtained by one of skill in the art, the terms ushA gene and aphA gene are definite.

Concerning 5'-inosinic acid or 5'-guanylic acid, Applicants submit herewith and direct the Examiner's attention to select pages from the Merck Index and the entries corresponding to the same demonstrating that the terms 5'-inosinic acid or 5'-guanylic acid are normally used by one of skill in the art to define a nucleoside 5'-phosphate ester. This is also consistent with the description in the present specification found in the paragraph briding pages 1 and 2.

In view of the foregoing, withdrawal of the rejections under 35 U.S.C. § 112, second paragraph is requested.

The rejection of Claims 4 and 5 under 35 U.S.C. § 102(b) over <u>Laird et al</u> is respectfully traversed.

Laird et al describes "E coli mutants incapable of *de novo* purine biosynthesis and also lacking other periplasmic enzymes with 5'-nucleotidase activity (ushA and aphA)."

However, Laird et al do not describe an Escherichia bacteria with the ushA and aphA genes disrupted and which has an ability to produce and accumulate nucleoside 5'-phosphate esters in a medium. Therefore, Laird et al does not anticipate the present claims and as such withdrawal of this ground of rejection is requested.

The rejection of Claims 4 and 5 under 35 U.S.C. § 103(a) over <u>Thaller et al</u> alone or in view of <u>Cowman et al</u> is respectfully traversed.

Thaller et al describe the identification of the aphA gene and on page 197, second paragraph that the aphA gene is a "physiological equivalent to the ushA gene." Thaller et al further describe "characterization of the parameters of this enzyme toward selected substrates, along with investigations on strains carrying genetically defined aphA mutations, are warranted to understand the physiological role of this class of highly conserved bacterial enzymes and to ascertain the significance of the phosphotransferase activities shown by these enzymes under laboratory conditions" (see page 198, col. 1). Therefore, while Thaller et al may describe the potential usefulness of studying aphA by mutating the gene, Thaller et al does not describe the claimed bacterium which has both the ushA and aphA genes disrupted and which has an ability to produce and accumulate nucleoside 5'-phosphate esters in a medium. Cowman et al merely describes the cloning of the ushA gene but also does not describe the nucleoside 5-phosphate ester producing and accumulating property found when the ushA gene and aphA genes have been disrupted in the bacteria. Therefore, in combination, the cited prior art provides no description for the claimed invention.

As shown in Tables 6 and 7 on pages 35 and 37, respectively, disruption of both genes facilitated the production and accumulation of IMP and GMP in the medium. For the Examiner's reference Table 6 is reproduced below:

Strain	Culture time	Inosine	IMP
	(h)	(g/L)	(g/L)
I/pMWpurFKQ	48	2.3	0
	48	2.3	0
IΔushA/pMWpurFKQ	51	3.1	0
	51	2.9	0
IΔaphA/pMWpurFKQ	51	3.6	0
	51	3.2	0
IΔushAΔ/aphA/pMWpurFKQ	54	2.4	1.0
	54	2.6	0.6

The data in this Table demonstrate that only the bacterial strain deficient in both genes (row 4) was able to produce and accumulate IMP and the medium compared to either gene mutant alone (rows 2 and 3) or the parental strain (row 1). Therefore, even if one assumes that it would have been obvious to disrupt both genes, there would not have been an expectation that disrupting both genes rather than each individually would facilitate the production of nucleoside 5'-phosphate esters. This is particularly so in light Thaller et al who describes the aphA gene is a physiological equivalent of ushA gene

Therefore, the present claims are not obvious in view of the combination of <u>Thaller et al</u> and <u>Cowman et al</u>. Withdrawal of this ground of rejection is requested.

Applicants submit the present application is ready for allowance. Early notification of such allowance is kindly requested.

Respectfully submitted,

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IN THE CLAIMS

- 4. (Amended) [A] An isolated bacterium belonging to the genus Escherichia having an ability to produce and accumulate nucleoside 5'-phosphate ester in a medium, in which ushA gene and aphA gene are disrupted.
- 5. (Amended) The <u>isolated</u> bacterium belonging to the genus Escherichia according to Claim 4, wherein the nucleoside 5'-phosphate ester is selected from the group consisting of 5'-inosinic acid or 5'-guanylic acid.

Claims 1-3 and 6-8 are canceled.

Claims 9 and 10 are added.

THE MERCKINDEX

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C₁₀H₁₄N₅O₈P; mol wt 363.22. C 33.07%, H 3.88%, N 19.28%, O 35.24%, P 8.53%. From yeast or pancreas. Prepn: P. A. Levene, L. W. Bass, Nucleic Acids (New York, 1931) pp 224-227. Structure: Levene, Jorpes, J. Biol. Chem. 81, 579 (1929); Levene, Harris, ibid. 95, 755 (1932); 98, 9 (1932). Early work probably done on a mixture of 2'- and 3'-guanylic acids; see physical data below. Separation of two isomers: Cohn, J. Am. Chem. Soc. 72, 1471 (1950); Khym, Cohn, ibid. 76, 1818 (1954); eidem, Biol. Prepn. 5, 40 (1957). Absorption spectrum: Voet et al., Biopolymers 1, 193 (1963). Reviews: see Guanine, Nucleic Acids.

Dihydrate, long prisms from water. The water of crystn is given up at 118° and is taken up again at room temp. When anhydrous, dec 180° (closed tube). $[\alpha]_D^{25} - 8^{\circ}$ (c = 2); -65° (c = 2 in 5% NaOH). Acid to litmus. Soluble in cold water, freely sol in hot water. Boiling with dil mineral acids yields guanine, H_3PO_4 , and D-ribose.

Neutral sodium salt, Na₂C₁₀H₁₂N₅O₈P, flakes from water, contains 21.1% H₂O. Sol in cold, freely sol in hot water. Brucine salt heptahydrate, C₁₀H₁₄N₅O₈P.(C₂₃H₂₆N₂O₄)₂.-7H₂O, rectangular leaflets from alc. When anhydr, dec 233-240°. [α]_D²⁰ -26° (35% alc). One gram dissolves in 100 ml water.

4600. 5'-Guanylic Acid. Guanosine 5'-monophosphate; GMP; guanosine 5'-phosphate; guanine riboside-5phosphoric acid. C₁₀H₁₄N₅O₈P; mol wt 363.22. C 33.07%, H 3.88%, N 19.28%, O 35.24%, P 8.53%. Nucleotide widely distributed in nature; found in hydrolyzates of RNA. Isolated together with inosinic acid from sardines or yeast extract: Kuninaka et al., New Food Ind. (Tokyo) 3, no. 1, 21 (1961). Also by direct biosynthesis using microorganisms or enzymes: Abrams, Bentley, Arch. Biochem. Biophys. 79, 91 (1959); Magasanik, Karibian, J. Biol. Chem. 235, 2672 (1960); Okumura et al., U.S. pat. 3,249,511 (1966). Chemical synthesis: Michelson, Todd, J. Chem. Soc. 1949, 2483; Chambers et al., J. Am. Chem. Soc. 79, 3747 (1957); Gilham, Tener, Chem. & Ind. (London) 1959, 542; Tener, J. Am. Chem. Soc. 83, 159 (1961); Koransky et al., Z. Naturforsch. 17B, 291 (1962). Prepn of Na salt: Ishibashi, Ito, U.S. pat. 3,190,877 (1965 to Takeda). Monograph on synthesis of nucleotides: G. R. Pettit, Synthetic Nucleotides vol. 1 (Van Nostrand Reinhold, New York, 1972) 252 pp. Reviews: See Guanidine; Nucleic Acids.

Microcrystals, dec 190-200°. Sparingly sol in cold water. Barium salt octahydrate, C₁₀H₁₂N₅O₈PBa.8H₂O, white powder. uv max (pH 2): 256 nm (ε 12400); (pH 12): 260 nm (ε 12100).

Disodium salt monohydrate, $C_{10}H_{12}N_5O_8PNa_2H_10$ groscopic crystals, decomp at about 250°. Character meaty taste. a_M (molar absorbancy): 13.7×10^3 at 2^3 nm (pH 7). Soly in water at 25° about 25 g/100 ml. It tically insol in alcohol, acetone, ether.

USE: The disodium salt as flavor intensifier, like so inosinate and sodium glutamate. Said to be more effect than either.

4601. Guaran. Principal polysaccharide from a sperm of guar seeds, Cyamopsis tetragonaloba (L.) Deguminosae: Heyne, Whistler, J. Am. Chem. Soc. 70, (1948). Structure: Whistler, Durso, ibid. 74, 5140 (1948). Configuration: Koleske, Kurath, J. Polymer Sci. Pt. A 4123 (1964). Review: Deuel et al., Chimia 8, 64 (1948).

[α]²⁵ +53° (1N NaOH). Sol in cold water.

Triacetate, fibrous material, mp 226-227°. Can be into strong films which can be elongated 550%. Been birefringent and does not develop crystallinity.

USE: In textile and paper industry.

4602. Guar Gum. Guar flour; gum cyamopsis mopsis gum; Burtonite V-7-E; Jaguar; Decorpa; Gus Glucotard; Guarem. Mol wt about 220,000. The ga endosperms of Cyamopsis tetragonolobus (L.) Taub, 6 minosae which is cultivated in India as livestock feed water soluble fraction (85%) of guar flour is called a which consists of linear chains of $(1 \rightarrow 4)-\beta$ -D-mannor nosyl units with α -D-galactopyranosyl units attack (1→6) linkages. Ratio of D-galactose to D-mannos Effect on lipid metabolism: D. J. A. Jenkins et al. Med. J. 2, 1555 (1979); on glucose and lipid levels in betic and healthy volunteers: U. Smith, G. Holm, Av. sclerosis (Shannon, Ire.) 45, 1 (1982); on renal tume diabetic rats: B. C. Chin et al., Biomed. Res. 5, 273(1) As source of fiber in patients with non-insulin degadiabetes: M. E. McIvor et al., Am. J. Clin. Nutr. 4. (1985). Toxicology studies: S. L. Graham et al. For met. Toxicol. 19, 287 (1981). Comprehensive monoge F. Smith, R. Montgomery, The Chemistry of Plant and Mucilages (Reinhold, New York, 1959) 627 pp. # Goldstein et al. in Industrial Gums, R. L. Whistle (Academic Press, New York, 2nd ed., 1973) p 303

Free flowing powder. Completely sol in cold atwater; practically insol in oils, greases, hydrocarbove tones, esters. Water solns are tasteless, odorless from of a pale, translucent gray color, and neutral. Since the thickening power of the water solns may be converted to a gel by small amorborax. Aq dispersions are neutral. Cf. "A Computation of Commercially Available Guar Gums" by Schlakman, A. J. Bartilucci, Drug Standards 25, 1 (1957). LD₅₀ in male, female rats (g/kg): 7.35, 6.7 (Graham).

USE: In paper sizing; as a protective colloid of thickening and film forming agent for cheese, salarings, ice cream, soups; as a binding and disintegration in tablet formulations; in pharmaceutical jelly formulations, emulsions, lotions, creams, toothing the mining industry as a flocculant, as a filtering awater treatment as a coagulant aid.

THERAP CAT: Adjunct to diet, insulin or order cemics in control of diabetes.

4603. Guinea Green B. N-Ethyl-N-[4-[[4-[ethyl-ophenyl]]] henylmethyl] amino]phenyl]phenylmethyleng.

dien-I-ylidene]-3-sulfobenzeneme sodium salt; C.I. Acid Green 3; C. Green 1; C.I. 42085. C₃₇H₃₅N₂Na 433%, H 5.11%, N 4.06%, Na Prepn: Jones et al., J. Assoc. (1955). Toxicity studies: F. C. 1 1 J. 97, 30 (1964); W. H. Hansen 4, 389 (1966). See also: Cold 1971) p 4385.

water to a green soln which beculin of HCl and blackish-green woll decolorizes the soln. Sparitives in concd H₂SO₄ to a yellow with water, turns first yellowish with rats: >2 g/kg (Lu, Lavalle Limited use as a dye for silk great stain. Delisted by FDA in and cosmetics.

p-Gulonic Acid. C₆H₁₂O % H 6.17%, O 57.09%. Prepd with of sodium glucuronate with the medium: Fischer, Piloty, Be apple acid γ-lactone: Rehorst,

 $=6^{\circ}$ (10 min) \rightarrow -38.6° (1: the lactone spontaneously. plane salt, $C_6H_{11}NaO_7$, crystals

salt, $Ca(C_6H_{11}O_7)_2$. $[\alpha]_j$

wild 196.16. C 36.74%, H 6 sylose and HCN followed! Sicher, Stahel, Ber. 24, 529 acid: Ger. pat. 618,907 from L-gulonolactone: Bull. 13, 173 (1965).

illizes as the lactone on even salt, $[\alpha]_D^{20} + 12.7^\circ$ (c = 9)

0.53,28%. Prepd by so sold soln of the γ -lactone of

1986) pp 408-418. Reviews: F. H. de Jong, Oxford Rev. Reprod. Biol. 9, 1-53 (1987); N. Ling et al., Vitam. Horm. (New York) 44, 1-46 (1988).

5005. Inosine. Hypoxanthine riboside; 9-β-D-ribofuranosylhypoxanthine; hypoxanthosine; Inosie; Oxiamine; Ribonosine; Trophicardyl. C₁₀H₁₂N₄O₅; mol wt 268.23. C 44.78%, H 4.51%, N 20.89%, O 29.82%. In meat and meat extracts, in sugar beets. Prepd from adenosine by incubation with purified adenosine deaminase from intestine: Kalckar, J. Biol. Chem. 167, 445 (1947); also by the action of sodium nitrite and acetic acid on adenosine: Levene, Jacobs, Ber. 43, 3161 (1910); by the use of barium nitrite and H₂SO₄: Reiff et al., U.S. pat. 3,049,536 (1962 to Zellstoff-Fabrik Waldhof). Fermentation method: Motozaki et al., U.S. pat. 3,111,459 (1963 to Ajinomoto). Structure: Bredereck, Ber. 66, 198 (1933); Z. Physiol. Chem. 223, 61 (1934); Gulland, Holiday, J. Chem. Soc. 1936, 765.

Dihydrate, long rectangular plates from water, mp 90°. Anhydrous needles from 80% alc, dec 218° (rapid heating). $[\alpha]_D^{18} - 49.2^\circ$ (c = 0.9 in H₂O). $[\alpha]_{white}^{20} - 73^\circ$ (0.5 g + 2 ml N NaOH + 3 ml H₂O). 100 ml of the satd water soln at 20° contain 1.6 g inosine. Absorption spectrum: Kalckar, loc. cit. uv max (pH 6.0): 248.5 nm (ϵ 12200). Boiling with 0.1N H₂SO₄ yields hypoxanthin and D-ribose. THERAP CAT: Activates cellular functions.

5006. Inosine Pranobex. Inosine mono[4-(acetylamino)benzoate] (salt) compd with 1-(dimethylamino)-2-propanol (1:3); inosine:dimethylaminoisopropanol acetamidobenzoate (1:3); inosiplex; methisoprinol; NP-113; NPT-10381; Aviral; Delimmun; Imunoviral; Isoprinosin; Isoprinosina; Isoprinosine; Isoviral; Modimmunal; Pranosina; Pranosine; Viruxan. $C_{52}H_{78}N_{10}O_{17}$; mol wt 1115.25. C 56.00%, H 7.05%, N 12.56%, O 24.39%. Immunostimulant complex formed from the p-acetamidobenzoate salt of dimethylaminoisopropanol and inosine in a 3:1 molar ratio. Prepn: P. Gordon, Ger. pat. 1,965,431; idem, U.S. pat. 3,646,007 (1971, 1972 both to Newport Pharm.). Antiviral activity: E. R. Brown, P. Gordon, Can. J. Microbiol. 18, 1463 (1972); R. L. Muldoon et al., Antimicrob. Ag. Chemother. 2, 224 (1972). Stimulatory effect on T-cell function: L. Binderup, Int. J. Immunopharmacol. 7, 93 (1985). Pharmacology and therapeutic potential: D. M. Campoli-Richards et al., Drugs 32, 383 (1986). Clinical immunopharmacology: A. J. Glasky, J. F. Gordon, Cancer Detect. Prev. Suppl. 1, 597 (1987). Clinical trial in subacute sclerosing panencephalitis (SSPE): C. E. Jones et al., Lancet 1, 1034 (1982); G. Gascon et al., Brain Devel. 15, 346 (1993). Clinical trial in pre-AIDS patients: C. Pedersen et al., N. Engl. J. Med. 322, 1757 (1990). Review of efficacy in HIV infection: C. De Simone et al., Int. J. Immunopharmacol. 13, Suppl. 1, 19-27 (1991).

Neutral water-soluble solid. LD₅₀ in mice and rats (mg/kg): >4000 orally and i.p. (Gordon).
THERAP CAT: Immunomodulator; antiviral.

5007. Inosinic Acid. 5'-Inosinic acid; 5-inosinic acid; muscle inosinic acid; t-inosinic acid; hypoxanthine riboside-

5-phosphoric acid; IMP. C₁₀H₁₃N₄O₈P; mol wt 3482 34.49%, H 3.76%, N 16.09%, O 36.76%, P 8.90%. P from meat extract: Levene, Bass, Nucleic Acids (New 1931) p 229; from dried sardines: Yoshida, Kageyar Japan. pat. 732('56) (to Ajinomoto), C.A. 51, 3870b (1931) Structure: Levene, Bass, op. cit., pp 187-192; Breder Ber. 66, 198 (1933); Levene, Tipson, J. Biol. Chem. 111, (1935). Also prepd from muscle by enzymatic deamntion of muscle adenylic acid: Ostern, Biochem. Z 251 (1932); by hydrolysis of inosine triphosphate: Kleinz Biochem. J. 36, 729 (1942). Studies on the enzymatic thesis: Greenberg, J. Biol. Chem. 190, 611 (1951); Konal., ibid. 217, 875 (1955). Microbial fermentation metals musing mutant strains of Micrococcus glutamicus: Kinosli et al., U.S. pat. 3,232,844 (1966 to Kyowa).

Syrup, solidifies to a glass when dried over $K_1 = 2.4$; $K_2 = 6.4$. Absorbable sour taste. $K_1 = 2.4$; $K_2 = 6.4$. Absorbable spectrum: Kalckar, J. Biol. Chem. 167, 445 (1947), sol in water, in formic acid; very sparingly sol in alcoholm. On boiling with acid hydrolyzes to 1 mol H. Comol hypoxanthine, 1 mol D-ribose.

Disodium salt dihydrate, $C_{10}H_{11}N_4Na_2O_8P.2H_2O_8D_8$ sol in alcohol, ether, acetone; soly in water at 20° about g/100 ml. Kawasaki, New Food Ind. (Tokyo) 3, no. 1 (1961).

Barium salt, C₁₀H₁₁BaN₄O₈P. Hemipentadecally lustrous leaflets. Becomes anhydr at 100° in vacuo 1 – 18.5° (0.3 g of anhydr Ba salt in 10 ml of 2.5% HC) USE: Its salts as flavor intensifiers, like sodium glutame Examples of mixtures of sodium inosinate and sodium tamate or other salts: Toi et al., U.S. pat. 3,109,741 (1) to Alinomoto).

5008. Inositol. myo-Inositol; meso-inositol; i-in hexahydroxycyclohexane; cyclohexanehexol; cyclohexanehexol; cyclohexanehexol; meat sugar; inosite; mesoinosite; phaseomannite; dambi nucite; bios I; rat antispectacled eye factor; mouse antispectacled pecia factor. C₆H₁₂O₆; mol wt 180.16. C 40.00%, H₁₀ O 53.28%. Widely distributed in plants and anim Growth factor for animals and microorganisms. Isolate heart muscle: Scherer, Ann. 73, 322 (1850); from I Woolley, J. Biol. Chem. 139, 29 (1941). Synthesis: " land, Wishart, Ber. 47, 2082 (1914); Anderson, Walls Am. Chem. Soc. 70, 2931 (1948). Obtained commerce from corn steep liquor, since inositol is present as pi acid in corn: Bartow, Walker, Ind. Eng. Chem. 30 (1938); U.S. pat. 2,112,553 (1938); Hoglan, Bartow Chem. Soc. 62, 2397 (1940); Elkin, Meadows, US 2,414,365 (1947); Brit. pat. 601,273 (1948 to Com Refining). Nine possible stereoisomers: Seven are opin inactive or meso. Two optically active forms, the form, and several cis, trans-isomers occur naturally. valent natural form is cis-1,2,3,5-trans-4,6-cyclohexatili which is described here. Reviews: R. Beckmann (Editio Cantor, Aulendorf, 1953); several authors in Vitamins, vol. 2, W. H. Sebrell, Jr., R. S. Harris, Eds. demic Press, New York, 1954) pp 321-386; ibid: vols. ed., 1971) pp 340-415.

Anhydr, non-hygroscopic crystals from water acid above 80°. Sweet taste. d 1.752. mp 225-227

mactive. Soly in water at 25°: 18 g/100 ml soln. Slightly sol in and other common organic soluto litmus.

Mydrate, efflorescent crystals from them 218°. Becomes anhydr at 1 thophosphate, C₆H₁₃O₉P. Prepn: Helv. Chim. Acta 12, 1165 (1929); them. Prepn. 2, 65 (1952). Crystals dec 195-197°. Titrates as a dibasic der (1 g dissolves in 3 ml H₂O). Prod, ether. Remarkably resistant to 5th strong alkali. May be hydrol Hell for 14 hrs.

109. Inositol Niacinate. myo-Inositol; hexanicotinoyl inositol; hexanicotinate; hexanicotinate; inositol hexanitexanicotinate; Dilcit; Dilexpal; hexanicit; Hexanicit; Hexanicit; Ling C₁₂H₃₀N₆O₁₂; mol wt 810.73. C 109. O 23.68%. Prepn: Badgett, 109. Soc. 69, 2907 (1947).

WAP CAT: Vitamin B complex; lip

vstals, mp 254.3-254.9°. Practical lacids.

TRAP CAT: Vasodilator (peripheral)

10. Insularine. C₃₈H₄₀N₂O₆; M. H 6.50%, N 4.51%, O 15.46% and C. oc insularis Makino and C. oc

Absorption spectrum: Ochai, β (1929).

beta cells that regulates carbol ented by proteolysis from the single the active dimer composed of mol wt ~6000. Regulates carbolism, and influences protein syngle protein for which the chemical eddetermined. Also the first contemproduced by recombinant